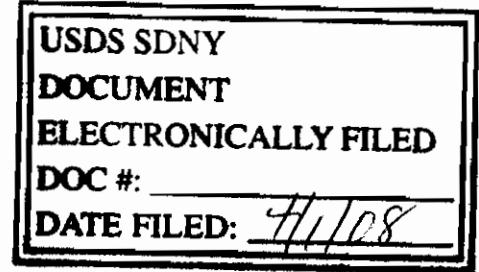


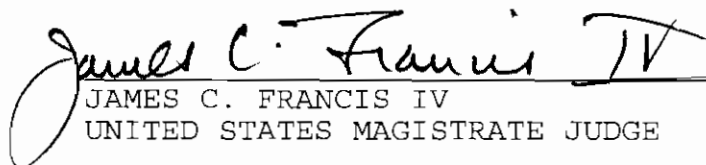
- - - - - :
BRIAN PICKETT, et al., : 05 Civ. 1567 (RJS) (JCF)
:
Plaintiffs, :
:
- against - :
:
THE CITY OF NEW YORK, et al., :
:
Defendants. :
- - - - - :
JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE



Defendants having applied by letter dated January 22, 2008 for an order dismissing the claims of plaintiff Brian Pickett, it is hereby ORDERED as follows:

1. Defendants' application is denied. While plaintiff's counsel terminated plaintiff's deposition inappropriately, she did so in response to questioning that was abusive in tone.
2. Mr. Pickett shall appear for completion of his deposition on a date agreed upon by counsel prior to April 30, 2008.
3. Neither Marc Garbar nor Eileen Weitzman shall represent any party at that deposition.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
April 1, 2008

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